

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SANOFI-AVENTIS and
SANOFI-AVENTIS U.S. LLC,

Plaintiffs,

v.

APOTEX INC. and APOTEX CORP.,

Defendants.

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C.A. No. 07-792 (GMS)

JURY TRIAL DEMANDED

MOTION TO TRANSFER, OR IN THE ALTERNATIVE, TO STAY

Defendants Apotex Inc. and Apotex Corp. (collectively "Apotex") respectfully move this Court, pursuant to 28 U.S.C. § 1404, for an Order transferring this litigation to the Southern District of Florida where an identical lawsuit is pending. Alternatively, Apotex moves for an Order staying this litigation until a resolution is reached in Florida. The grounds for this Motion are fully set forth in Apotex's Opening Brief in Support filed contemporaneously herewith.

Apotex conferred with Plaintiffs regarding this Motion; Plaintiffs will oppose the Motion.

Respectfully submitted,

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Robert B. Breisblatt
Steven E. Feldman
Sherry L. Rollo
WELSH & KATZ, LTD.
120 S. Riverside Plaza, 22nd Floor
Chicago, IL 60606
Tel: (312) 655-1500

By: /s/ Richard L. Horwitz

Richard L. Horwitz (#2246)
Kenneth L. Dorsney (#3726)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000
rhorwitz@potteranderson.com
kdorsney@potteranderson.com

Dated: January 24, 2008
843768 / 32533

*Counsel for Defendants
Apotex Inc. and Apotex Corp.*

**IN THE UNITED STATES DISTRICT COURT
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CERTIFICATE OF SERVICE

I, Richard L. Horwitz, hereby certify that on January 24, 2008, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on January 24, 2008, I have Electronically Mailed the document to the following person(s)

Jack B. Blumenfeld
Maryellen Noreika
James W. Parrett
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
jblumenfeld@mnat.com
mnoreika@mnat.com
jparrett@mnat.com

John M. Desmarais
Gerald J. Flattmann, Jr.
William T. Vuk
Kirkland & Ellis LLP
Citigroup Center
153 East 53rd Street
New York, NY 10022
jdesmarais@kirkland.com
gflattmann@kirkland.com
wwuk@kirkland.com

/s/ Richard L. Horwitz
Richard L. Horwitz
Kenneth L. Dorsney
Potter Anderson & Corroon LLP
Hercules Plaza – Sixth Floor
1313 North Market Street
Wilmington, DE 19801
(302) 984-6000
rhorwitz@potteranderson.com
kdorsney@potteranderson.com

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ORDER

Having considered Defendants Apotex Inc. and Apotex Corp.'s Motion to Transfer, Or In The Alternative, To Stay, it is hereby ORDERED this ____ day of _____, 2008 that the Motion is GRANTED. This Civil Action is hereby TRANSFERRED to the Southern District of Florida.

UNITED STATES DISTRICT JUDGE

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